

## Message Text

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ACTION EA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00

SSO-00 USIE-00 INRE-00 CU-02 PM-03 H-01 INR-05 L-02

NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15 IO-10 SR-02

ORM-01 SCA-01 /075 W

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O R 150440Z NOV 74

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC IMMEDIATE 325

INFO USDEL JEC PARIS

AMCONSUL HONG KONG

AMEMBASSY LONDON

C O N F I D E N T I A L SAIGON 14329

DEPT PASS IMMEDIATELY IBS/NCS

E.O. 11652: GDS

TAGS: SHUM PINS VS UK HK

SUBJECT: 118 HONG KONG DEPORTEES

1. WE BELIEVE DEPT WILL FIND FOLLOWING INFO REGARDING GVN TREATMENT OF 118 VIETNAMESE WHO TRIED TO LEAVE VIETNAM ILLEGALLY OF USE IN ANSWERING FALSE CHARGES OF AMNESTY INTERNATIONAL (AI), REPEATED BY REP ASPIN IN CONNECTION WITH CASE OF SEVEN VIETNAMESE STUDENTS SEEKING TEMPORARY "POLITICAL ASYLUM" IN US.

2. ORIGINAL AI CHARGES, DISEMINATED LAST JULY, INCLUDED ACCUSATION THAT FOURTEEN OF THE DEPORTEES DIED FROM INJURIES IN CONSON PRISON AND THAT 21 WERE SENT TO FRONT LINE UNITS WITHOUT TRAINING. THESE CHARGES WERE MADE BY MARTIN ENNALS, SEC GEN OF AI, IN A TELEGRAM TO THE HONG KONG GOVT AND WERE REPEATED IN VARIOUS NEWS MEDIA.

3. THE TRUTH IS THAT NONE OF THE 118 DIED. (ONE OF THE 63 WHO AIDED THEM, AND WHO WERE ALSO DETAINED, DIED IN CHI HOA PRISON

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OF NATURAL CAUSES BEFORE THE CASE CAME TO TRIAL, ACCORDING TO

POLICE SOURCES HERE.) THE SAME SOURCES SAY THAT SEVERAL OF THE PRISONERS HAVE DIARRHEA AND OTHER TROPICAL ILLNESSES, BUT THEY CAN BE VISITED AT ANY TIME AND HAVE NOT BEEN IN ANY WAY MISTREATED. NOR IS THERE ANY TRUTH TO CHARGE OF SOME PRISONERS HAVING BEEN SENT TO FRONT LINES WITHOUT TRAINING. ALL RPT ALL PRISONERS HAVE BEEN IN JAIL UNTIL RECENT TRIAL.

4. THE BRITISH EMB, WHICH HAS FOLLOWED THIS AFFAIR IN UTMOST DETAIL, IS SATISFIED THAT NONE OF THE 118 HAVE BEEN BADLY TREATED. BRITISH ECM OFFICERS, IN ORDER TO SATISFY THEMSELVES ON THIS POINT, ATTENDED THE TRIAL OF THE ILLEGAL EMIGRANTS, ALL OF WHOM, ALONG WITH THEIR ACCOMPLICES, WERE TRIED AT SAIGON COURT OF FIRST INSTANCE ON CHARGE OF ILLEGAL EXIT FROM COUNTRY. THEY ASCERTAINED THAT THE PRISONERS' DEFENSE ATTORNEYS WERE SATISFIED THAT THERE HAD BEEN NO MALTREATMENT AND LEARNED FROM THE ATTORNEYS THAT MANY OF THE PRISONERS HAD RECEIVED FAMILY VISITS TWICE A WEEK. A GROUP OF VISITING UK PARLIAMENTARIANS SAW THE ILLEGAL EMIGRANTS AND THEIR ACCOMPLICES AT CHI HOA PRISON, SPOKE TO A NUMBER OF THEM WITH NO PRISON OFFICIALS PRESENT, AND SAID THEY WERE REASSURED THAT THE PRISONERS HAD NOT BEEN MISTREATED.

5. BRITISH EMB OFFICERS ALSO LOOKED INTO THE POSSIBILITY, SUGGESTED BY AI TO THE HKG BEFORE THE VIETNAMESE WERE EXTRADITED, THAT THE GVN MIGHT BE TEMPTED TO SUBSTITUTE HEALTHY INDIVIDUALS FOR THOSE WHOM IT WOULD ABUSE. ALTHOUGH THE BRITISH OFFICERS WERE UNABLE TO CHECK EVERY INDIVIDUAL IN THIS REGARD, THEY DID CHECK MOST AND WERE SATISFIED IN EVERY CASE. FURTHERMORE, THE PRISONERS' ATTORNEYS, AMONG THEM A MAN WITH DEFINITE LEFTIST SYMPATHIES, SAID HE FELT THAT THE AI FEAR OF A BODY SWITCH WAS INHERENTLY RIDICULOUS.

6. DEPT SHOULD NOTE EXTREMELY LIGHT SENTENCES METED OUT TO THOSE CONVICTED. LENGTHS OF SENTENCES FOR 118 ILLEGAL EMIGRANTS WERE AS FOLLOWS: TWO PERSONS GOT A YEAR; 7 PERSONS GOT 8 MONTHS; 78 GOT SIX MONTHS; 12 GOT 5 MONTHS; 9 GOT THREE MONTHS; AND 10 WERE ACQUITTED. OF THE 63 WHO WERE CHARGED WITH BEING ACCOMPLICES, I.E., WHO DID NOT MAKE THE TRIP, 12 GOT ONE YEAR, AND THE REST GOT VARIOUS LIGHTER SENTENCES OR WERE ACQUITTED. ALL CHILDREN UNDER 14 WERE UNCONDITIONALLY RELEASED SHORTLY AFTER

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THEIR ARRIVAL IN VIETNAM, AND A 28-YEAR-OLD MOTHER AND A 14-YEAR-OLD WERE CONDITIONALLY RELEASED AT THE SAME TIME. (THESE ARE COUNTED AMONG NUMBER ACQUITTED.) THOSE WHO RECEIVED THREE MONTH SENTENCES WERE RELEASED IMMEDIATELY AFTER THE TRIAL, HAVING ALREADY SERVED THEIR TERM. THOSE SENTENCED TO 5 MONTHS WILL BE RELEASED NOV 17.

7. EMB CALLS ATTENTION TO AUG 7 VIETNAM PRESS REBUTTAL OF FALSE

AI CHARGES. UNOFFICIAL TRANSLATION OF FULL TEXT FOLLOWS:

BEGIN QUOTE

WE ARE EXTREMELY DISMAYED AT THE INACCURACY OF THE INFORMATION YOU COLLECTED CONCERNING THE CASE OF 118 VIETNAMESE EXTRADITED BY THE HONG KONG AUTHORITIES TO THE GOVT OF THE REPUBLIC OF VIETNAM AFTER THEIR ILLEGAL ENTRY INTO THIS BRITISH COLONY.

WE WOULD LIKE TO CONFIRM THAT NONE OF THEM DIED OR WAS WOUNDED WHILE AWAITING TRIAL BY THE COURT AND NONE WAS SENT TO THE BATTLEFRONT. YOUR EMOTION IS GROUNDLESS AND THEREFORE NEEDLESS. IT ONLY DEMONSTRATES YOUR PARTIALITY CONCERNING THE ISSUE OF VIETNAM, WHICH WAS EVIDENCES BEFORE IN THE SO-CALLED "POLITICAL PRISONER" PROBLEM.

MAY WE MAKE THE SUGGESTION THAT YOU CROSS-CHECK THE ACCURACY OF YOUR INFORMATION BEFORE SENDING US ANY STATEMENT OF YOUR CONCERN, AS YOUR GROUNDLESS EMOTION RELEVANT TO A FALSE PROBLEM IS ONLY DETRIMENTAL TO THE PRESTIGE THAT YOU ARE STRIVING TO BUILD FOR YOUR INSTITUTION. INSTEAD OF EXPRESSING YOUR GROUNDLESS EMOTION, MAY WE SUGGEST THAT YOU SEEK INFORMATION ABOUT THE FATE OF NEARLY 100,000 VIETNAMESE STILL UNDER LOCK AND KEY BY THE NORTH VIETNAMESE AUTHORITIES, WHO STUBBORNLY REFUSED TO ALLOW THEIR RETURN TO THE GOVT OF THE REPUBLIC OF VIETNAM.

END QUOTE

8 INFO FROM BRITISH EMB SHOULD NOT RPT NOT BE USED PUBLICLY IN ANY DETAIL. BRITISH HAVE PARTICULARLY ASKED THAT VISIT TO CHI HOA PRISON BY MPS BE KEPT STRICTLY CONFIDENTIAL.  
MARTIN

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